

## MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 3, 2009

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CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, FEBRUARY 3, 2009, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

### THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt  
Russ Brooks  
Carolynn Burt  
Joel Coleman  
Corey Rushton  
Steve Vincent  
Mike Winder

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

### STAFF PRESENT:

Paul Isaac, Assistant City Manager  
Buzz Nielsen, Police Chief  
Kevin Astill, Parks and Recreation Director  
John Evans, Fire Chief  
Richard Catten, City Attorney  
Jim Welch, Finance Director  
Russell Willardson, Public Works Director  
Layne Morris, Community Preservation Director  
John Janson, Acting CED Director  
Brent Garlick, CED Department  
Aaron Crim, Administration  
Phil Markham, Public Works Department  
Jake Arslanian, Public Works Department

### 41390      **OPENING CEREMONY**

The Opening Ceremony was conducted by Steve Vincent who read excerpts from a book entitled, “Don’t Sweat the Small Stuff” by Richard Carlson.

### 14391      **SCOUTS**

Mayor Nordfelt welcomed Scout Troop No. 1137 in attendance to complete requirements for the Citizenship in the Community and Communications merit badge.

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### 14392      **APPROVE MINUTES OF REGULAR MEETING HELD JANUARY 13, 2009**

The Council read and considered the Minutes of the Regular Meeting held January 13, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Coleman moved to approve the Minutes of the Regular Meeting held January 13, 2009, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

### 14393      **PROCLAMATION DECLARING FEBRUARY 2009, AS “WHITE RIBBON AGAINST PORNOGRAPHY” MONTH IN WEST VALLEY CITY**

Councilmember Winder read a proclamation declaring February 2009, as “White Ribbon Against Pornography” Month in West Valley City.

### 14394      **COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt, the following individuals addressed the City Council during the Comment Period:

Nelia Oaks Bennett, 3156 South Meadowlark Drive, addressed the City Council. Ms. Bennett discussed construction going on for the TRAX light rail line and its impact and related problems in her neighborhood. She indicated she did not have any idea regarding the mission statement of the City or the Utah Transit Authority (UTA), but she had always been taught to do no harm. She asked what about the human beings and animals that lived in the construction area being impacted by the construction. She stated she was one of five families impacted by the heavy equipment within five feet of the property causing fumes, exhaust and other issues. Ms. Bennett stated the construction people operating the heavy equipment dropped the big buckets, not laying them down on the ground, so homes would shake as if it was an earthquake. She indicated dump trucks had hydraulic lifts and the bed banged back onto the dump truck after it was emptied. She further stated she was one of the residents that originally opposed TRAX going down

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2700 West and her mind had not been changed. She stated a noise study had been done for the trains when they were running, but a study was not done regarding noise impact on homes during the construction period. She submitted written information to the City Council from the neighbors impacted by this project.

Jan Mawson, 3260 Meadowlark Drive, addressed the City Council. Ms. Mawson expressed concern residents had not been informed regarding details of the construction. She stated she had not known 3100 South and Maple Way would be closed during construction. She indicated neighbors needed to be considered and notified regarding what was going on. She stated she had lived in her home for 40 years and she and her neighbors deserved information.

Mayor Nordfelt stated that there were representatives of UTA in attendance and he suggested Ms. Bennett and Ms. Mawson talk to them after the Council Meeting.

14395      **RESOLUTION NO. 09-89, APPROVE ROAD IMPACT FEE REIMBURSEMENT AGREEMENT WITH HUNTER VILLAGE, LC, FOR ROADWAY IMPROVEMENTS ON PARKWAY BOULEVARD**

City Manager, Wayne Pyle presented proposed Resolution No. 09-89 which would approve Road Impact Fee Reimbursement Agreement with Hunter Village, LC, in the amount of \$45,249.75, for roadway improvements on Parkway Boulevard.

Mr. Pyle stated Hunter Village, LC had agreed to install certain qualified improvements to the City's major roadway system, in exchange for reimbursement upon the successful installation, construction and completion of those qualified improvements. He indicated the qualified improvements would be completed in compliance with the West Valley City Road Impact Fee Ordinance, Section 8-4-103.

The City Manager reported Hunter Village, LC, had agreed to install, construct and finance, as part of the Hunter Village Subdivision, Phases 18 and 19, certain qualified improvements to the City's major roadway system. He indicated in accordance with the terms set out in the agreement Hunter Village LC would complete the improvements and be due reimbursement by the City.

After discussion, Councilmember Coleman moved to approve Resolution No. 09-89, a Resolution Authorizing the City to enter into a Road Impact Fee Reimbursement Agreement with Hunter Village, LC, for Roadway Improvements on Parkway Boulevard. Councilmember Vincent seconded the motion.

A roll call vote was taken:

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Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14396

**RESOLUTION NO. 09-90, APPROVE ROAD IMPACT FEE REIMBURSEMENT AGREEMENT WITH CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, A UTAH CORPORATION SOLE, FOR ROADWAY IMPROVEMENTS ON PARKWAY BOULEVARD**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-90 which would approve a Road Impact Fee Reimbursement Agreement with the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints, a Utah Corporation Sole, in the amount of \$65,180.00, for roadway improvements on Parkway Boulevard.

Mr. Pyle stated the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints, a Utah Corporation Sole, had agreed to install certain qualified improvements to the City's major roadway system, in exchange for reimbursement upon the successful installation, construction and completion of those Qualified Improvements. He indicated the qualified improvements would be completed in compliance with the West Valley City Road Impact Fee Ordinance, Section 8-4-103.

After discussion, Councilmember Winder moved to approve Resolution No. 09-90, a Resolution Authorizing the City to enter into a Road Impact Fee Reimbursement Agreement with Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints, a Utah Corporation Sole, for Roadway Improvements on Parkway Boulevard. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes

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Mayor Nordfelt                      Yes

Unanimous.

14397            **RESOLUTION NO. 09-91, APPROVE ROAD IMPACT FEE REIMBURSEMENT AGREEMENT WITH LEE BANGERTER FOR ROADWAY IMPROVEMENTS ON PARKWAY BOULEVARD**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-91 which would approve a Road Impact Fee Reimbursement Agreement with Lee Bangerter, in the amount of \$15,152.25, for roadway improvements on Parkway Boulevard.

Mr. Pyle stated Lee Bangerter had agreed to install certain qualified improvements to the City's major roadway system in exchange for reimbursement upon successful installation, construction and completion of those qualified improvements. He indicated the qualified improvements would be completed in compliance with the West Valley City Road Impact Fee Ordinance, Section 8-4-103.

After discussion, Councilmember Vincent moved to approve Resolution No. 09-91, a Resolution Authorizing the City to enter into a Road Impact Fee Reimbursement Agreement with Lee Bangerter for Roadway Improvements on Parkway Boulevard. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14398            **RESOLUTION NO. 09-92, APPROVE STORM WATER DRAINAGE IMPACT FEES REIMBURSEMENT AGREEMENT WITH LEE BANGERTER FOR STORM DRAINAGE IMPROVEMENTS TO BE CONSTRUCTED IN BANGERTER ACRES SUBDIVISION LOCATED AT 3306 SOUTH 6400 WEST**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-92 which would approve a Storm Water Drainage Impact Fees Reimbursement Agreement with Lee Bangerter, in the amount of \$16,936.00, for storm drainage

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improvements to be constructed in Bangerter Acres Subdivision located at 3306 South 6400 West.

Mr. Pyle stated Lee Bangerter had been required, and agreed to install, construct and finance, as part of the Bangerter Acres Subdivision, certain qualified improvements to the City's major storm drain system on 6400 West. He indicated in accordance with the terms set out in the agreement Lee Bangerter would complete those improvements and be due reimbursement for said improvements by the City.

After discussion, Councilmember Burt moved to approve Resolution No. 09-92, a Resolution Authorizing the City to enter into a Storm Water Drainage Impact Fees Reimbursement Agreement with Lee Bangerter for Storm Drainage Improvements. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14399

**RESOLUTION NO. 09-93, AUTHORIZING WEST VALLEY CITY TO GRANT A RIGHT-OF-WAY EASEMENT TO PACIFICORP, AN OREGON CORPORATION DBA ROCKY MOUNTAIN POWER, TO ALLOW FOR THE CONSTRUCTION, RECONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, ENLARGEMENT AND REMOVAL OF ELECTRIC POWER TRANSMISSION, DISTRIBUTION AND COMMUNICATION LINES**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-93 which would authorize West Valley City to grant a Right-of-Way Easement to Pacificorp, an Oregon Corporation dba Rocky Mountain Power, to allow for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement and removal of electric power transmission, distribution and communication lines.

Mr. Pyle stated the easement would be needed so Rocky Mountain Power, or their successors, could construct, remove, reconstruct underground, repair, maintain, and replace electric power transmissions, distribution, and communication lines.

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The City Manager reported throughout the process of obtaining the services of light rail and bus rapid transit, City staff had worked with the Utah Transit Authority (UTA), Rocky Mountain Power, and the Utah Department of Transportation (UDOT) to obtain a functional and aesthetically pleasing project. He indicated through that process it had become an important step to bury the distribution lines along Constitution Boulevard in front of the City Hall building. He stated in order to actually bury the lines and move the transmission lines to the west, Rocky Mountain Power requested a new right-of-way easement that would allow the necessary space for their construction and demolition of the said power lines, poles, conductors, conduits, and other necessary components for the success of the project.

After discussion, Councilmember Coleman moved to approve Resolution No. 09-93, a Resolution Authorizing West Valley City to Grant a Right-of-Way Easement to Pacificorp, an Oregon Corporation, dba Rocky Mountain Power, to Allow for the Construction, Reconstruction, Operation, Maintenance, Repair, Replacement, Enlargement, and Removal of Electric Power Transmission, Distribution and Communication Lines. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14400

### **RESOLUTION NO. 09-94, AUTHORIZE PURCHASE OF A TYMCO 600 SWEEPER FROM INTERMOUNTAIN SWEEPER FOR USE BY THE PUBLIC WORKS DEPARTMENT**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-94 which would authorize purchase of a Tymco 600 Sweeper from Intermountain Sweeper, in the amount of \$178,715.00 less the trade in of \$65,000.00 for a used 2005 Tymco 600 Sweeper, for a total cost not to exceed \$113,715.00, for use by the Public Works Department.

Mr. Pyle stated Intermountain Sweeper had submitted a proposal that qualified under the provisions of the West Valley City Procurement Code 5-3-110,

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Procurement to Meet Existing Needs. He also stated the Code allowed the procurement of matching equipment when beneficial to operations and maintenance. He indicated the Fleet Manager and Operations Manager had negotiated the best price available. He advised the purchase had been reviewed by the Finance and Law Departments.

The City Manager advised the sweeper being replaced was a 2005 Tymco 600. He stated the sweeper would be replaced one year earlier than normal in order to balance equipment replacement expenditures over the next three years.

After discussion, Councilmember Brooks moved to approve Resolution No. 09-94, a Resolution Authorizing West Valley City to Purchase a Tymco 600 Sweeper from Intermountain Sweeper for use by the Public Works Department. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14401

**RESOLUTION NO. 09-67, AUTHORIZE CITY TO ACQUIRE, BY NEGOTIATION OR CONDEMNATION, REAL PROPERTY FROM DECKER LAKE VENTURES, LLC, LOCATED AT 2801 SOUTH DECKER LAKE DRIVE IN WEST VALLEY CITY (*CONTINUED FROM REGULAR COUNCIL MEETING HELD JANUARY 27, 2009*)**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-67 which would authorize the City to acquire, by negotiation or condemnation, real property from Decker Lake Ventures, LLC, located at 2802 South Decker Lake Drive in West Valley City.

Mr. Pyle stated although the required legal notice had been sent to the correct property address, the proper owner was located at another address. He further stated in an effort to comply with all legal requirements, notice had subsequently been sent to the owner. He indicated due to the noticing issue the process of the subject resolution must be completed again.



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The City Manager reported UTA (Utah Transit Authority) was currently negotiating purchase of 10, 510 square feet of real property and a 2,631 square foot easement from Decker Lake Ventures, LLC, with Clear Channel as a tenant. He also reported, at present, it appeared condemnation would be necessary to complete the acquisition.

Mr. Pyle stated the subject property was one of the properties from which property would be purchased for the light rail station on Research Way near Redwood Road and located on a corner where the tracks would make a turn to the south. He also stated the turn necessitated additional right-of-way. He indicated the current right-of-way width was large but under the road was a box culvert from Decker Lake that needed to be avoided, when possible, and the turn consumed more right-of-way.

City Manager, Wayne Pyle, reported the proposed Resolution had been tabled and the matter continued from the Regular Council Meeting held January 27, 2009.

Upon inquiry by Mayor Nordfelt, there was no one present at the meeting desiring to address the City Council regarding this item. Upon request by Mayor Nordfelt, City Recorder, Sheri McKendrick, related a recent conversation with the property owner regarding his inability to attend the meeting and options to submit written information, participate in the meeting via telephone or have legal counsel represent him at the meeting. The City Recorder reported she had not received additional communication from the property owner after that conversation.

Upon discussion, Councilmember Rushton discussed condemnation issues as related to the Constitution, including guidelines for public use with just compensation.

After further discussion, Councilmember Coleman moved to approve Resolution No. 09-67, a Resolution Authorizing the City to Acquire, by Negotiation or Condemnation, Real Property from Decker Lake Ventures, LLC, Located at 2801 South Decker Lake Drive in West Valley City. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

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Unanimous.

14402

**CONSENT AGENDA:**

- A. **RESOLUTION NO. 09-95, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF SUSAN KLINKER AS MEMBER AND CHAIR OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2009 – DECEMBER 31, 2009**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-95 which would ratify the City Manager's reappointment of Susan Klinker as a member and Chair of the Utah Cultural Celebration Center Advisory Board of West Valley City for the term January 1, 2009, through December 31, 2009.

Mr. Pyle stated Susan Klinker had expressed an interest in being reappointed to serve on the Board for another term.

- B. **RESOLUTION NO. 09-96, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF ERNESTO "KIKO" CORNEJO AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2009 – DECEMBER 31, 2009**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-96 which would ratify the City Manager's reappointment of Ernesto "Kiko" Cornejo as a member of the Utah Cultural Celebration Center Advisory Board of West Valley City for the term January 1, 2009, through December 31, 2009.

Mr. Pyle stated Ernesto "Kiko" Cornejo had expressed an interest in being reappointed to serve on the Board for another term.

- C. **RESOLUTION NO. 09-97, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF DRU AND LESLIE DRURY AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2009 – DECEMBER 31, 2009**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-97 which would ratify the City Manager's reappointment of Dru and Leslie Drury as a member of the Utah Cultural Celebration Center Advisory Board of West Valley City for the term January 1, 2009, through December 31, 2009.

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Mr. Pyle stated Dru and Leslie Drury had expressed an interest in being reappointed to serve on the Board for another term.

**D. RESOLUTION NO. 09-98, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF CAROL EDISON AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2009 – DECEMBER 31, 2009**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-98 which would ratify the City Manager's reappointment of Carol Edison as a member of the Utah Cultural Celebration Center Advisory Board of West Valley City for the term January 1, 2009, through December 31, 2009.

Mr. Pyle stated Carol Edison had expressed an interest in being reappointed to serve on the Board for another term.

**E. RESOLUTION NO. 09-99, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF CRAIG THOMAS AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2009 – DECEMBER 31, 2009**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-99 which would ratify the City Manager's reappointment of Craig Thomas as a member of the Utah Cultural Celebration Center Advisory Board of West Valley City for the term January 1, 2009, through December 31, 2009.

Mr. Pyle stated Craig Thomas had expressed an interest in being reappointed to serve on the Board for another term.

**F. RESOLUTION NO. 09-100, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF LYNN MCKENNA AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2009 – DECEMBER 31, 2009**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-100 which would ratify the City Manager's reappointment of Lynn McKenna as a member of the Utah Cultural Celebration Center Advisory Board of West Valley City for the term January 1, 2009, through December 31, 2009.

Mr. Pyle stated Lynn McKenna had expressed an interest in being reappointed to serve on the Board for another term.

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- G. RESOLUTION NO. 09-101, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF MARGARET PETERSON AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2009 – DECEMBER 31, 2009**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-101 which would ratify the City Manager's reappointment of Margaret Peterson as a member of the Utah Cultural Celebration Center Advisory Board of West Valley City for the term January 1, 2009, through December 31, 2009.

Mr. Pyle stated Margaret Peterson had expressed an interest in being reappointed to serve on the Board for another term.

- H. RESOLUTION NO. 09-102, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF SOULEE STROUD AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2009 – DECEMBER 31, 2009**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-102 which would ratify the City Manager's reappointment of Soulee Stroud as a member of the Utah Cultural Celebration Center Advisory Board of West Valley City for the term January 1, 2009, through December 31, 2009.

Mr. Pyle stated Soulee Stroud had expressed an interest in being reappointed to serve on the Board for another term.

- I. RESOLUTION NO. 09-103, RATIFY THE CITY MANAGER'S APPOINTMENT OF ALBERT JONES AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2009 – DECEMBER 31, 2009**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-103 which would ratify the City Manager's reappointment of Albert Jones as a member of the Utah Cultural Celebration Center Advisory Board of West Valley City for the term January 1, 2009, through December 31, 2009.

Mr. Pyle stated Albert Jones had expressed an interest in being reappointed to serve on the Board for another term.

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**J. RESOLUTION NO. 09-104, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM BARBARA AND THEODORE HARRIS, SR., FOR PROPERTY LOCATED AT 3927 SOUTH SUNNYVALE DRIVE FOR THE SUNNYVALE ACORD SIDEWALK PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-104 which would accept a Grant of Temporary Construction Easement from Barbara and Theodore Harris, Sr. for property located at 3927 South Sunnyvale Drive for the Sunnyvale Acord Sidewalk Project.

Mr. Pyle Stated Barbara and Theodore Harris, Sr. had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the Sunnyvale Acord Sidewalk Project and would allow the contractor to make the necessary tie-ins to the property. He also reported compensation for the easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2010.

**K. RESOLUTION NO. 09-105, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM PAULETTE TEDESCO FOR PROPERTY LOCATED AT 3612 SOUTH 5200 WEST FOR THE 5200 WEST IMPROVEMENT PROJECT**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-105 which would accept a Grant of Temporary Construction Easement from Paulette Tedesco for property located at 3612 South 5200 West for the 5200 West Improvement Project.

Mr. Pyle stated Paulette Tedesco had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5200 West Improvement Project extending from 3500 south to 4100 South. He stated the easement would allow the contractor to make the necessary tie-ins to the property. He indicated compensation for the easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2010.

After discussion, Councilmember Winder moved to approve Resolution Nos. 09-95, 09-96, 09-97, 09-98, 09-99, 09-100, 09-101, 09-102, 09-103, 09-104 and 09-105, as presented on the Consent Agenda. Councilmember Burt seconded the motion.

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A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, FEBRUARY 3, 2009, WAS ADJOURNED AT 6:51 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, February 3, 2009.

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Sheri McKendrick, MMC  
City Recorder